

**SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 23, 2005**

WOOD, Secretary

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Wood.

The Pledge of Allegiance was led by Tara Ridinger, Page.

Approval of Journal

March 23, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

March 22, 2005

Mr. Speaker:

I transmit herewith enrolled **S 1061, S 1092, S 1099, S 1119, S 1138, S 1142**, as amended in the House, and **S 1188** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1061, S 1092, S 1099, S 1119, S 1138, S 1142**, as amended in the House, and **S 1188** and, when so signed, ordered them returned to the Senate.

March 22, 2005

Mr. Speaker:

I return herewith enrolled **HCR 12, H 296, H 303, H 304, and H 305** which have been signed by the President.

WOOD, Secretary

Enrolled **H 296, H 303, H 304, and H 305** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 12** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 22, 2005

Mr. Speaker:

I transmit herewith **S 1210, S 1211, S 1212, S 1213, S 1214, S 1215, S 1216, S 1198, and S 1190** which have passed the Senate.

S 1210, S 1211, S 1212, S 1213, S 1214, S 1215, S 1216, S 1198, and S 1190 were filed for first reading.

March 22, 2005

Mr. Speaker:

I return herewith **H 327, H 328, H 329, H 330, H 338, H 339, H 340, H 341, H 342, H 38, H 97**, as amended, **H 252, H 271, H 261, H 197**, as amended, **H 159, H 138, H 263, H 139**, as amended, **H 160**, as amended, **H 54, H 68**, as amended, **H 193**, and **H 266** which have passed the Senate.

WOOD, Secretary

H 327, H 328, H 329, H 330, H 338, H 339, H 340, H 341, H 342, H 38, H 97, as amended, **H 252, H 271, H 261, H 197**, as amended, **H 159, H 138, H 263, H 139**, as amended, **H 160**, as amended, **H 54, H 68**, as amended, **H 193**, and **H 266** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 23, 2005

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1164**, as amended, and **H 298** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO S 1164, as amended

AMENDMENTS TO SECTION 5

On page 3 of the engrossed bill, in line 27, delete "~~and~~" and insert: "and"; delete line 32 and insert:

"(3c) A child's parent or guardian refuses or is unable to ~~consent~~ adequately provide for the treatment of the child consistent with the requirements of public safety; and"; and in line 33, delete "(4c)" and insert: "(4d)".

HOUSE AMENDMENT TO H 298

AMENDMENTS TO SECTION 1

On page 6 of the printed bill, in line 42, delete "district board" and insert: "city (cities) or county (counties) which authorized the formation of the district".

On page 7, delete lines 52 through 54 and insert:

"(4) Subject to procurement requirements imposed by state law and any additional procurement requirement set forth in any district financing and development agreement contemplated under section 50-3003(3), Idaho Code, the district board may enter into contracts to carry out any of the".

On page 10, delete lines 29 through 42 and insert: "full faith and credit of the district is pledged exceed five percent (5%) of the actual or adjusted market value for assessment purposes on all taxable real property within the district as such valuation existed on December 31 of the previous year.".

On page 16, delete lines 7 through 9 and insert: "property within the district which will be encumbered with future bond repayment liability, a notice setting forth:

- (a) The current obligation of a property owner within the district with respect to bond repayment liability;
- (b) That the obligation to retire the bonds will be the responsibility of any property owner in the district through the payment of real property taxes collected by the county treasurer in addition to all other property tax payments;
- (c) The estimated maximum tax rate upon the parcel for bond repayment;
- (d) Whether the tax rate is to be maintained at any level by means of any development agreement with the district; and
- (e) In the event of the failure of the developer to maintain the tax rate, the tax rate on a parcel will increase, as needed, to provide for bond repayment.

Such notice may be separately recorded or included in a recorded financing and development agreement as contemplated pursuant to section 50-3003(3), Idaho Code. The governing body, in its resolution approving formation of the district, shall require that a form disclosure, consistent with the foregoing, be signed and acknowledged by any purchaser of land within the district prior to purchase. The form disclosure shall be entitled "PID TAX DISCLOSURE NOTICE" and, as determined appropriate by the district board, shall fully and fairly disclose the property owner's PID tax liability, with estimated best and worst case scenarios, with examples provided. The form disclosure shall also set forth the estimated annual additional tax liability for any operation and maintenance expense as may be levied pursuant to section 50-3012, Idaho Code. The form disclosure shall be included in any developer sales and promotional materials provided to prospective purchasers."

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

H 298, as amended, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

S 1164, as amended, as amended in the House, was filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

Report of Standing Committees

March 23, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 26**, **H 368**, **H 369**, **H 370**, **H 371**, **H 372**, **H 373**, **H 374** and House Amendments to **H 336**, **S 1062**, as amended, and **H 308**.

FIELD(18), Chairman

H 368, **H 369**, and **H 370** were referred to the Revenue and Taxation Committee.

H 371, **H 372**, **H 373**, and **H 374** were referred to the Resources and Conservation Committee.

HCR 26 was filed for second reading.

March 23, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 17**, **HJM 4**, **H 316**, **H 191**, **H 192**, **H 204**, **H 205**, **H 206**, **H 245**, **H 165**, **H 94**, as amended, **H 157**, **H 67**, **H 132**, **H 133**, **H 229**, **H 18**, **H 231**, **H 185**, as amended, **H 182**, **H 178**, **H 40**, **H 99**, **H 264**, **H 214**, as amended, and **H 224**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 17**, **HJM 4**, **H 316**, **H 191**, **H 192**, **H 204**, **H 205**, **H 206**, **H 245**, **H 165**, **H 94**, as amended, **H 157**, **H 67**, **H 132**, **H 133**, **H 229**, **H 18**, **H 231**, **H 185**, as amended, **H 182**, **H 178**, **H 40**, **H 99**, **H 264**, **H 214**, as amended, and **H 224**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 23, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 336**, as amended, and **H 308**, as amended.

FIELD(18), Chairman

H 336, as amended, and **H 308**, as amended, were filed for first reading of engrossed bills.

March 23, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 152**, **H 153**, and **H 154** to the Governor at 11:05 a.m., as of this date, March 22, 2005.

FIELD(18), Chairman

March 22, 2005

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **SCR 114** and report it back without recommendation.

BARRACLOUGH, Chairman

SCR 114 was placed on the Third Reading Calendar.

March 22, 2005

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1180** and **S 1189** and recommend that they do pass.

WOOD, Chairman

S 1180 and **S 1189** were filed for second reading.

March 22, 2005

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1104** and recommend that it do pass.

BARRETT, Chairman

S 1104 was filed for second reading.

March 22, 2005

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **HJM 8** and recommend that it do pass.

JONES, Chairman

HJM 8 was filed for second reading.

March 23, 2005

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1086**, as amended, and **S 1163**, as amended, and recommend that they do pass.

BLOCK, Chairman

S 1086, as amended, and **S 1163**, as amended, were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1190, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1198, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1062, as amended, as amended in the House, by Judiciary

and Rules Committee, was introduced, read the first time by title, and filed for second reading.

S 1210, **S 1211**, **S 1212**, **S 1213**, **S 1214**, **S 1215**, and **S 1216**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 336, as amended, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 308, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

HCR 24 and **HP 4**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 364, by Appropriations Committee, was read the second time by title and filed for third reading.

H 365, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1165, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1174, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1209, by Finance Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1200 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1200** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Field(18), Loertscher, Stevenson, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1200** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1202 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1202** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Stevenson, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1202** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1203 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1203** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Stevenson, Wills.

Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1203** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1204 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **S 1204** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Bradford, Crow, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1204** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1205 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **S 1205** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Crow, Garrett, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1205** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1206 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1206** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- McKague. Total -- 1.

Absent and excused -- Bradford, Stevenson. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1206** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1207 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1207** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jones, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Shepherd(2), Smith(30), Trail. Total -- 15.

Total -- 70.

Whereupon the Speaker declared **S 1207** passed the House. Title was approved and the bill was ordered returned to the

Senate.

S 1208 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1208** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1208** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **H 311** and **H 312** be returned to the Resources and Conservation Committee. There being no objection, it was so ordered.

S 1074, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Nonini to open debate.

The question being, "Shall **S 1074**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bilbao, Block, Boe, Bolz, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Edmunson(Barker), Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, LeFavour, Loertscher, Martinez, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Wills. Total -- 51.

NAYS -- Bastian, Bedke, Bell, Black, Cannon, Denney, Ellsworth, Field(18), Lake, Mathews, Moyle, Pasley-Stuart, Ringo, Rusche, Shirley, Smylie, Trail, Wood, Mr. Speaker. Total -- 19.

Total -- 70.

Whereupon the Speaker declared **S 1074**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1179, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1179**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Barrett, Bayer, McKague, Moyle, Sali, Schaefer. Total -- 6.

Absent and excused -- Smith(24). Total -- 1.
Total -- 70.

Whereupon the Speaker declared **S 1179**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **SCR 114** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HCR 24** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 24** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford,

Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 24** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

HCR 24 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **HCR 24** be adopted?"

Whereupon the Speaker declared **HCR 24** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 364** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 364** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion

carried, the rules were suspended, and **H 364** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 364** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 364** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 365** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 365** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 365** was read the first time by title, second time by title, and third time at length,

section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 365** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- Moyle. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 365** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1165** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1165** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1165** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final

consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1165** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bayer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1165** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1174** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1174** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1174** was read the first time by title, second time by title, and third time at length,

section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

Mr. Deal asked unanimous consent that further debate on **S 1174** be postponed for one legislative day. There being no objection, it was so ordered.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1209** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1209** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1209** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **S 1209** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson(Barker), Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- Jaquet, Jones, LeFavour, Martinez, Mitchell,
Pasley-Stuart, Pence, Saylor, Smith(30), Smith(24), Trail.
Total -- 11.

Absent and excused -- Roberts. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1209** passed the House.
Title was approved and the bill was ordered returned to the
Senate.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 375
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO SCHOOL FUNDS; AMENDING
SECTION 33-906, IDAHO CODE, TO PROVIDE A DATE BY
WHICH BONDS MUST BE PASSED FOR PURPOSES OF
RECEIVING THE MINIMUM OF THE INTEREST COST
PORTION IN THE BOND LEVY EQUALIZATION SUPPORT
PROGRAM AND TO PROVIDE A REFERENCE TO EACH
QUALIFYING SCHOOL DISTRICT; AMENDING SECTION
33-906A, IDAHO CODE, TO REVISE PROVISIONS
APPLICABLE TO THE BOND LEVY EQUALIZATION
FUND; AND PROVIDING EFFECTIVE DATES.

H 375 was introduced, read the first time by title, and
referred to the Judiciary, Rules, and Administration Committee
for printing.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10 a.m.,
Thursday, March 24, 2005. Seconded by Ms. Jaquet. Motion
carried.

Whereupon the Speaker declared the House adjourned at
12:17 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk